



Ong 12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SC
#16
11-18-03

Patent Application

5 Appellant(s): Ping-Wen Ong
Case: 12
Serial No.: 09/342,408
Filing Date: June 28, 1999
10 Group: 2178
Examiner: Thu V. Huynh

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature *[Signature]* Date: October 30, 2003

Title: Method and Apparatus for Persistent Access to Web Resources
Using Variable Time-Stamps

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SUPPLEMENTAL APPEAL BRIEF

NOV 04 2003

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Technology Center 2100

20 Sir:

Appellants hereby reply to the non-final Office Action, mailed July 30, 2003. A request to reinstate the appeal is submitted herewith. Appellants' Appeal Brief in an Appeal of the final rejection of claims 1 through 25 in the above-identified patent application was submitted on May 19, 2003.

REAL PARTY IN INTEREST

A statement identifying the real party in interest is contained in Appellant's Appeal Brief.

RELATED APPEALS AND INTERFERENCES

A statement identifying related appeals and interferences is contained in Appellant's Appeal Brief.

STATUS OF CLAIMS

A statement identifying the status of the claims is contained in Appellants' Appeal Brief.

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STATUS OF AMENDMENTS

A statement identifying the status of the amendments is contained in Appellants' Appeal Brief.

SUMMARY OF INVENTION

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A Summary of the Invention is contained in Appellants' Appeal Brief.

ISSUES PRESENTED FOR REVIEW

A statement identifying the issues originally presented for review is contained in Appellants' Appeal Brief. In the Office Action, the Examiner vacated the prior office action and added new rejections of claims. Thus, the issues currently presented for review are:

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- i. Whether claims 1-3, 5-6, 13-15, 17-18, and 25 are properly rejected under 35 U.S.C. §102(e) as being anticipated by Tagawa;
- ii. Whether claims 4 and 16 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa, and further in view of Kisor et al.;
- iii. Whether claims 4 and 16 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa, and further in view of Allard et al.;
- iv. Whether claims 8-9 and 20-21 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa, and further in view of Sawashima et al.;
- v. Whether claims 8-9 and 20-21 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa, and further in view of Kolb-Proust Archive;

- vi. Whether claims 7, 10, 19, and 22 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa, and further in view of George;
- vii. Whether claims 11 and 23 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa and George, and further in view of Kolb-Proust Archive; and
- viii. Whether claims 12 and 24 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Tagawa and George, and further in view of Kolb-Proust Archive, and further in view of Compose Search.

Appellant is **not** appealing the issue of whether claims 1-7 are properly rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Appellant regards as the invention. As discussed in the argument section, Appellant believes that the Examiner intended to reject claims 9, 11, 12, 21, 23 and 24. Rather than appealing this issue, Appellant has proposed an amendment to claims 9, 11, 12, 21, 23 and 24 in the Appendix that Appellant believes addresses the Section 112, second paragraph rejection.

GROUPING OF CLAIMS

A statement identifying the grouping of the claims is contained in Appellants' Appeal Brief.

ARGUMENT

Information Disclosure Statement

In the non-final Office Action, mailed July 30, 2003, the Examiner indicates that the Information Disclosure Statement submitted with the Appeal Brief failed to comply with 37 CFR 1.97(d) because (i) it lacked the statement specified in 37 CFR 1.97(e); and (ii) lacked the fee set forth in 37 CFR 1.17(p).

Appellant submits that the Information Disclosure Statement did include the 97(e) certification in the first paragraph, and that the transmittal document

(Transmittal of Appeal Brief) that was the cover document for the Information Disclosure Statement included a general authorization to charge any required fees to a deposit account. Nonetheless, in order to expedite resolution of this issue, Appellant submits herewith a corrected Information Disclosure Statement document that includes an explicit
5 fee authorization. Appellant respectfully requests that the information contained therein be considered.

Section 112 Rejections

Claims 1-7 were rejected under 35 U.S.C. §112, second paragraph, as
10 being indefinite for failing to particularly point out and distinctly claim the subject matter which Appellant regards as the invention. While claims 1-7 were rejected, the Examiner notes that claims 9 and 21 recite the limitation of “displaying a list of the web resources,” claims 11 and 23 recite the limitation of “displaying a list of said versions,” and claims 12 and 24 recite the limitation of “displaying said list of links.” The Examiner asserts
15 that there is insufficient antecedent basis for these limitations in the claims.

As previously indicated, Appellant is **not** appealing the issue of whether the claims are properly rejected under 35 U.S.C. §112, second paragraph. Rather, Appellant has proposed an amendment to claims 9, 11, 12, 21, 23 and 24 in the Appendix that Appellant believes addresses the Section 112, second paragraph rejection. Appellant
20 requests entry of these proposed amendments after the appealed issues are resolved by the Appeal Board.

Independent Claims 1, 13 and 25

Independent Claims 1, 13, and 25 are rejected under 35 U.S.C. §102(e) as
25 being anticipated by Tagawa. Regarding claim 1, the Examiner asserts that Tagawa teaches receiving a request for an electronic document, said request including a variable time-stamp.

Appellants note that Tagawa teaches the use of fixed version data for identifying content that has been retrieved and stored. Tagawa teaches that “the uniform
30 resource locator further includes a version. The file name further includes a flag indicating that the version of the data is added. Preferably, the version is given by a

number corresponding to year/month/date at a time when the uniform resource locator is entered.” Col. 3, lines 5-9.

Tagawa then teaches a method for retrieving the content saved with version data. Tagawa teaches that a history button can be clicked to retrieve an earlier or
5 latter version of the content. Tagawa does not disclose, however, that the request utilizes a “variable time-stamp” (i.e., a time-stamp that can indicate *a number of different dates, such as a date range or a recurring period of time*. See, page 2, lines 26-27, of the present disclosure). Independent claims 1, 13, and 25 require “receiving a request for said electronic document, said request including a *variable time-stamp*.”

10 Thus, Tagawa does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

Additional Cited References

Kisor et al. were also cited by the Examiner in rejecting claims 4 and 16
15 for disclosing that the URL has an associated request header for indicating a time-stamp. Citing col. 3, line 50, to col. 4, line 20, and col. 7, lines 21-25. The time-stamp that is referenced in the passage on col. 3 indicates a date of last modification of a web page, and is used to determine when to refresh a web page. There is no suggestion in Kisor et al. that a request for an electronic document includes a variable time-stamp, as required
20 by the claims of the present invention.

Thus, Kisor et al. does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

Allard et al. were also cited by the Examiner in rejecting claims 4 and 16
25 for disclosing that the URL has an associated request header for indicating additional information about the request. Allard is directed to a “method and system for invoking by a client computer system of a function of an object of an object class provided by a server computer system.” See, Abstract. Allard does address receiving a request for an electronic document (said request including a variable time-stamp).

Thus, Allard et al. does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

5 Sawashima et al. were also cited by the Examiner in rejecting claims 8-9 and 20-21 for teaching a search for data within the time range designated by the user and transferring search results that satisfy the search request to the requested users. Sawashima is directed to a version management apparatus for managing versions of data. See, Abstract. Sawashima does address receiving a request for said electronic document and does not disclose variable time-stamps.

10 Thus, Sawashima et al. does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

15 Kolb-Proust Archive was also cited by the Examiner in rejecting claims 8-9, 11-12, 20-21, and 23-24 for teaching a “search for electronic documents contain data within a time range designated by the user in the Internet,” displaying a list of web resources that satisfy the date range, displaying a list of documents that satisfy the date range, and displaying a list of links that satisfy the date range in a search result. While Kolb-Proust Archive is directed to searching for documents, Kolb-Proust Archive does not disclose receiving a request for said electronic document, said request including a variable time-stamp.

20 Thus, Kolb-Proust Archive does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

25 George was also cited by the Examiner in rejecting claims 7, 10, 11-12, 19, 22, and 23-24 for its disclosure of wild-card characters used to specify single or zero to many alphanumeric characters in matching a search string. George is directed to a “method of searching an on-line dictionary in any language representation using syllables and syllable count and an on-line dictionary.” See, Abstract. George does address receiving a request for said electronic document and does not disclose variable time-stamps.

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Thus, George does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

Compose Search was also cited by the Examiner in rejecting claims 12
5 and 24 for its disclosure of sorting a list of search results that is specified by a user. While Compose Search does teach how to compose a search for documents, Compose Search does not disclose or suggest receiving a request for a document, said request including a variable time-stamp.

Thus, Compose Search does not disclose or suggest “receiving a request
10 for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

Conclusion

Thus, Tagawa, Kisor et al., Allard et al., Sawashima et al., Kolb-Proust
15 Archive, George, and Compose Search, alone or in any combination, do not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

The rejections of the independent claims under §102 in view of Tagawa,
Kisor et al., Allard et al., Sawashima et al., Kolb-Proust Archive, George, and Compose
20 Search, alone or in any combination, are therefore believed to be improper and should be withdrawn.

Dependent Claims

Claims 2 and 14 specify a number of limitations providing additional
25 bases for patentability. Specifically, the Examiner rejected claims 2 and 14 under 35 U.S.C. §102(e) as being anticipated by Tagawa. Claims 2 and 14 require “an address identifying said electronic document includes said time-stamp.” The Examiner asserts that Tagawa teaches wherein an address identifying said electronic document includes said time-stamp (col. 2, line 54, to col. 3, line 20 and col. 10, lines 47-49: URL address
30 includes time-stamp 950910). Appellants note that the time-stamps of claims 2 and 14 reference the time-stamps of claims 1 and 13, respectively, and are therefore variable

time-stamps. As Appellants noted above, Tagawa teaches that, "preferably, the version is given by a number corresponding to year/month/date at a time when the uniform resource locator is entered." Col. 3, lines 5-9. The version taught by Tagawa is not variable.

Thus, Tagawa does not disclose or suggest "an address identifying said
5 electronic document includes said time-stamp," as required by dependent claims 2 and 14.

The remaining rejected dependent claims are believed allowable for at least the reasons identified above with respect to the independent claims.

The attention of the Examiner and the Appeal Board to this matter is
10 appreciated.

Respectfully,



15 Date: October 30, 2003

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APPENDIX I

Current Claims on Appeal (A proposed amendment to claims 9, 11, 12, 21, 23 and 24 to resolve Section 112, Second Paragraph issue is included Appendix II):

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1. A method for providing an electronic document, said electronic document having multiple versions, each of said versions having a time-stamp, said method comprising the steps of:

10 receiving a request for said electronic document, said request including a variable time-stamp; and

identifying versions of said electronic document corresponding to said variable time-stamp.

15 2. The method according to claim 1, wherein an address identifying said electronic document includes said time-stamp.

3. The method according to claim 2, wherein said address is a Uniform Resource Locator.

20 4. The method according to claim 3, wherein said Uniform Resource Locator as an associated request header for indicating said variable time stamp.

5. The method according to claim 1, wherein said request is specified using a browser.

25 6. The method according to claim 1, wherein said request includes a relative time stamp.

7. The method according to claim 1, wherein said variable time-stamp includes a wildcard character.

8. The method according to claim 1, wherein said variable time-stamp includes a date range.

5 9. The method according to claim 1, further comprising the step of displaying a list of the web resources that satisfy said variable time stamp.

10 10. The method according to claim 1, wherein said variable time-stamp can be utilized to identify a version of said electronic document having an unknown time.

10 11. The method according to claim 10, further comprising the step of displaying a list of said versions satisfying said variable time stamp.

15 12. The method according to claim 11, further comprising the step of displaying said list of links in an order specified by a user.

15 13. A system for storing an electronic document having multiple versions, said system comprising:

 a memory for storing said multiple versions of said electronic document in an archive of electronic documents; and

20 a processor operatively coupled to said memory, said processor configured to:

 receive a request for one of said versions of said electronic document, said request including a variable time-stamp; and

25 identify versions of said electronic document corresponding to said variable time-stamp.

14. The system according to claim 13, wherein an address identifying said electronic document includes said time-stamp.

15. The system according to claim 14, wherein said address is a Uniform Resource Locator.

16. The system according to claim 15, wherein said Uniform Resource
5 Locator has an associated request header for indicating said variable time stamp.

17. The system according to claim 13, wherein said request is specified using a browser.

18. The system according to claim 13, wherein said request includes a
10 relative time stamp.

19. The system according to claim 13, wherein said variable time-stamp includes a wildcard character.

20. The system according to claim 13, wherein said variable time-stamp
15 includes a date range.

21. The system according to claim 13, wherein said processor is further configured to display a list of the web resources that satisfy said variable time stamp.

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22. The system according to claim 13, wherein said variable time-stamp can be utilized to identify a version of said electronic document having an unknown time.

23. The system according to claim 22, wherein said processor is further configured to display a list of said versions satisfying said variable time stamp.

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24. The system according to claim 23, wherein said processor is further configured to display said list of links in an order specified by a user.

25. An article of manufacture for accessing an electronic document, said
30 article of manufacture comprising:

a computer readable medium having computer readable program code means embodied thereon, said computer readable program code means comprising program code means for causing a computer to:

- 5 receive a request for one of said versions of said electronic document, said request including a variable time-stamp; and
- identify versions of said electronic document corresponding to said variable time-stamp.

APPENDIX II

Proposed Amendment to resolve Section 112, Second Paragraph issue

5 9. (Proposed Amendment) The method according to claim 1, further comprising the step of displaying a list of ~~the~~ web resources that satisfy said variable time stamp.

10 11. (Proposed Amendment) The method according to claim 10, further comprising the step of displaying a list of said ~~versions~~ version satisfying said variable time stamp.

15 12. (Proposed Amendment) The method according to claim 11, further comprising the step of displaying ~~said a~~ list of links in an order specified by a user.

20 21. (Proposed Amendment) The system according to claim 13, wherein said processor is further configured to display a list of ~~the~~ web resources that satisfy said variable time stamp.

25 23. (Proposed Amendment) The system according to claim 22, wherein said processor is further configured to display a list of said ~~versions~~ version satisfying said variable time stamp.

25 24. (Proposed Amendment) The system according to claim 23, wherein said processor is further configured to display ~~said a~~ list of links in an order specified by a user.



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Patent Application

Applicant(s): Ping-Wen Ong
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Serial No.: 09/342,408
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Signature: [Signature] Date: October 30, 2003

Title: Method and Apparatus for Persistent Access to Web Resources Using Variable Time-Stamps

TRANSMITTAL OF SUPPLEMENTAL APPEAL BRIEF

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Alexandria, VA 22313-1450

NOV 04 2003

Technology Center 2100

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

- (1) Request to Reinstate Appeal;
- (2) Supplemental Appeal Brief (original and two copies); and
- (3) Corrected Supplemental Information Disclosure Statement with PTO-1449.

There is an additional fee of \$180 due in conjunction with this submission under 37 CFR §1.17(p). Please charge **Deposit Account No. 50-0762** the amount of \$180, to cover this fee. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error. A duplicate copy of this letter and two copies of the Supplemental Appeal Brief are enclosed.

Respectfully,

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